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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/986,248

Filing Date: November 08, 2001

Appellant(s): BELKNAP ET AL.

Quadeer A. Ahmed (Reg. No.: 60/835)

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 3-27-2009 appealing from the Office action mailed 12-07-2007. The previous Examiner's Answer of 10-6-2008 is hereby vacated.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,282,711	HALPERN ET AL.	8-2001
7,099,950	JONES ET AL.	8-2006
6,075,943	FEINMAN	6-2000

Applicants Admitted Prior Art, hereinafter AAPA, specification pages 1-4

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 7-10, 13-15, 19-23, 25-29, and 34-36 are rejected under 35 U.S.C.

103(a) as being unpatentable over Halpern et al., Patent Number 6,282,711, hereinafter

Halpern, applicants admitted prior art in the "Background of the Invention" section pages

1-4, hereinafter AAPA, and Jones et al., Patent Number 7,099,950, hereinafter Jones.

With regard to claim 1, which teaches a method of requesting and processing a

plurality of objects from a server, comprising: receiving a response message from the

server, the response message containing the plurality of objects packed into the

response message, Halpern teaches, in column 3, line 61 though column 4, line 5 and

column 6, lines 1-28, the client receiving a package from the server containing the

plurality of selected objects. With regard to claim 1, further teaching automatically

unpacking the plurality of objects contained in the response message for display on the

web page., Halpern teaches, in column 6, lines 44-64, in column 4, lines 14-19, and column 4, line 66 through column 5, line 5, an automatic unpacking of objects, that doesn't require user interaction, where the process takes place over a network, through a user interface, for display on a web browser.

Halpern teaches requests sent to the server for a plurality of objects (see column 3, lines 16-38 and column 5, lines 5-51), he however doesn't specifically specify if the requests are sent individually for each object or as packed request. It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern to provide the user with the option of sending the request to the server as either a single package or as a plurality of packages, similar to how Halpern offers the transfer of data between the server and the client (see column 3, line 61 through column 4, line 9 and in column 6, lines 17-28). One would have been motivated to make such a combination because in the bi-directional transfer system of Halpern, it would be beneficial, in terms of time saved in the case of lost objects, to provide the same optional packeting of objects in the client to server transfer.

With regard to claim 1, further teaching requesting a plurality of objects from the server, Halpern teaches, in column 3, lines 16-38 and in column 5, lines 5-51, a user selecting a plurality of objects from a server, but doesn't specifically teach the specifics of the searching. With regard to claim 1, further teaching searching in a data network for an information element based upon a search criteria , AAPA teaches a communication of requests and responses between a client and a server through the user of a browser (see column 3, lines 1-15), similar to that of Halpern (see column 4,

line 54 through column 5, line 5), but further specifies, on page 3, lines 1-4, searching in

a network for occurrences of various types of information including text graphics, etc.

With regard to claim 1, further teaching receiving from at least one server search results

displayable on a web page comprising a list identifying occurrences of the information

element, AAPA teaches, on page 3, lines 4-9, a server upon receiving a search request

returning to a client a webpage including results of the search, including a list of text

items or graphical images describing the search hits. With regard to claim 1, further

teaching wherein at least some of said occurrences of the information element identify

objects; generating for each identified object, a request to at least on server fro

obtaining respective objects, AAPA teaches, on page 3, lines 10-15, some of the

returned search results being graphical thumbnail images representing files (objects),

where the browser then requests the objects. It would have been obvious to one of

ordinary skill in the art, having the teachings of Halpern and AAPA to combine the

packager of data objects, of Halpern with the search system of AAPA. One would have

been motivated to make such a combination because packaging the requests for

objects into a one or more packaged requests (see column 3, lines 62-66), as is done in

Halpern, provides an efficient means for transmitting large amount of data in combined

streams, conversely use of a search engine for searching the component pool of the

internet accessed in Halpern, would provide efficient data query access.

Halpern and AAPA, however, don't explicitly teach opening a server session prior

to the search request and closing the server session after receiving the response.

Jones teaches, a system in which a client requests specifies an identifier for a search

on a server and receives a response (see column 5, lines 26-30), similar to that of

Halpern and AAPA, but further teaches initiating a connection between the client and

server forming the session and after completion of the request response cycle,

terminating the session (see column 2, lines 52-63). It would have been obvious to one

of ordinary skill in the art, having the teachings of Halpern, AAPA, and Jones before him

at the time the invention was made to modify server query system of Halpern and AAPA

to include the session initiation and termination, as did Jones. One would have been

motivated to make such a combination because this allows the client to set up distinct

times to use the severs services and maintain the networked connection.

     With regard to claims 2, 14 and 26, which teach decompressing the plurality of

unpacked objects, Halpern teaches, in column 6, lines 44-64, the automatic

decompression of the transferred objects.

     With regard to claims 3 and 15, which teach decompressing the plurality of

unpacked objects automatically in response to receiving the response message,

Halpern teaches, in column 6, lines 44-64, the automatic decompression of the

transferred objects.

     With regard to claims 7, 19, and 27, Halpern and AAPA teach a system for the

transfer of multiple objects between a server and a client and outputting a plurality of

unpacked objects for display on a browser of the client (see column 6, lines 1-67 of

Halpern and page 3, lines 5-15 of AAPA), but doesn't specifically teach outputting the

objects in and second order dictated in the response message, not dictated by order of

receipt / different from the first order.

Jones teaches, a system in which a client requests specifies an identifier for a search on a server and receives a response (see column 5, lines 26-30), similar to that of Halpern and AAPA, but further teaches returning responses from the server in a different order than the order of requests, while including a serial number as well as an id number with the responses thereby allowing for reordering at the client (see column 11, lines 40-52). It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern, AAPA, and Jones before him at the time the invention was made to modify server query system of Halpern and AAPA to include the non-dependent upon request response ordering, as did Jones. One would have been motivated to make such a combination because this allows for further utilization of the networks resources, allowing for ready bits of information to be transmitted when they are ready in any order.

With regard to claim 8, which teaches a method of transferring a plurality of objects from a server to a client comprising: receiving a request from the client for the plurality of objects, Halpern teaches, in column 6, lines 1-5, the request for a plurality of objects. With regard to claim 8, further teaching retrieving the plurality of requested objects from one or more object stores, Halpern teaches, in column 5, lines 49-55 and in column 6, lines 1-5, the server retrieving the requested objects from a component pool. With regard to claim 8, further teaching automatically packing the retrieved plurality of objects into a response message, Halpern teaches, in column 5, lines 49-55 and in column 6, lines 1-15, the server retrieving the requested objects from a component pool and forms a customized non-binging set of files. With regard to claim

8, further teaching transmitting the response message to the client, Halpern teaches, in

column 6, lines 17-19, the executable prepared by the packager being transmitted over

a network to the client.

Halpern teaches requests sent to the server for a plurality of objects (see column

3, lines 16-38 and column 5, lines 5-51), he however doesn't specifically specify if the

requests are sent individually for each object or as packed request. It would have been

obvious to one of ordinary skill in the art, having the teachings of Halpern to provide the

user with the option of sending the request to the server as package of a plurality of

objects, similar to how Halpern offers the transfer of data between the server and the

client (see column 3, line 61 through column 4, line 9 and in column 6, lines 17-28).

One would have been motivated to make such a combination because in the bi-

directional transfer system of Halpern, it would be beneficial, in terms of time saved in

the case of lost objects, to provide the same optional packeting of objects in the client to

server transfer.

Halpern and AAPA teach a system for the transfer of multiple objects between a

server and a client and outputting a plurality of unpacked objects for display on a

browser of the client (see column 6, lines 1-67 of Halpern and page 3, lines 5-15 of

AAPA), but doesn't specifically teach outputting the objects in and second order dictated

in the response message, not dictated by order of receipt / different from the first order.

Jones teaches, a system in which a client requests specifies an identifier for a search

on a server and receives a response (see column 5, lines 26-30), similar to that of

Halpern and AAPA, but further teaches returning responses from the server in a

different order than the order of requests, while including a serial number as well as an

id number with the responses thereby allowing for reordering at the client (see column

11, lines 40-52). It would have been obvious to one of ordinary skill in the art, having

the teachings of Halpern, AAPA, and Jones before him at the time the invention was

made to modify server query system of Halpern and AAPA to include the non-

dependent upon request response ordering, as did Jones. One would have been

motivated to make such a combination because this allows for further utilization of the

networks resources, allowing for ready bits of information to be transmitted when they

are ready in any order.

      With regard to claim 8, further teaching the plurality of objects being occurrences

of an information element provided as a search criteria in a data network, Halpern and

Jones teach, in column 3, lines 16-38 and in column 5, lines 5-51 (of Halpern), a user

selecting a plurality of objects from a server, but doesn't specifically teach the specifics

of the searching. AAPA teaches a communication of requests and responses between

a client and a server through the user of a browser (see column 3, lines 1-15), similar to

that of Halpern (see column 4, line 54 through column 5, line 5), but further specifies, on

page 3, lines 2-4, 7-10, and 13-15, searching, in a server network, for occurrences of

various types of information, and displaying in the web page in response to the search

text and/or thumbnail images (objects), representing the actual file. It would have been

obvious to one of ordinary skill in the art, having the teachings of Halpern, Jones, and

AAPA to combine the packager of data objects, of Halpern and Jones with the search

system of AAPA. One would have been motivated to make such a combination

because packaging the requests for objects into a one or more packaged requests (see column 3, lines 62-66), as is done in Halpern, provides an efficient means for transmitting large amount of data in combined streams.

With regard to claims 9, 21, and 29, which teach automatically compressing the retrieved plurality of requested objects prior to packing the objects into the response message, Halpern teaches, in column 3, line 61 through column 4, line 5, the step of compressing and packaging the files together before transfer.

With regard to claims 10 and 22, which teaches automatically compressing the response message prior to transmitting the response message to the client, Halpern teaches, in column 3, line 61 through column 4, line 5, the step of compressing and packaging the files together before transfer.

With regard to claim 13, which teaches a client processor, comprising: a communications module configured for receiving a response message from the server, the response message containing the plurality of objects packed into the response message, Halpern teaches, in column 3, line 61 though column 4, line 5 and column 6, lines 1-28, the client receiving a package from the server containing the plurality of selected objects. With regard to claim 13, further teaching automatically unpacking the plurality of objects contained in the response message, Halpern teaches, in column 6, lines 44-64, and in column 4, lines 14-19, an automatic unpacking of objects that doesn't require user interaction. With regard to claim 13, further teaching a browser coupled to the unpacking module, configured to present the plurality of unpacked

objects to a user, Halpern further teaches, in column 4, line 54 through column 5, line 5, providing a display of the transfer system through the use of a browser.

Halpern teaches requests sent to the server for a plurality of objects (see column 3, lines 16-38 and column 5, lines 5-51), he however doesn't specifically specify if the requests are sent individually for each object or as packed request. It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern to provide the user with the option of sending the request to the server as package of a plurality of packages, similar to how Halpern offers the transfer of data between the server and the client (see column 3, line 61 through column 4, line 9 and in column 6, lines 17-28). One would have been motivated to make such a combination because in the bi-directional transfer system of Halpern, it would be beneficial, in terms of time saved in the case of lost objects, to provide the same optional packeting of objects in the client to server transfer.

With regard to claim 13, further teaching the plurality of objects being occurrences of an information element provided as a search criteria in a data network, Halpern teaches, in column 3, lines 16-38 and in column 5, lines 5-51, a user selecting a plurality of objects from a server, but doesn't specifically teach the specifics of the searching. AAPA teaches a communication of requests and responses between a client and a server through the user of a browser (see column 3, lines 1-15), similar to that of Halpern (see column 4, line 54 through column 5, line 5), but further specifies, on page 3, lines 2-4, 7-10, and 13-15, searching, in a server network, for occurrences of various types of information, and displaying in the web page in response to the search

request, resulting thumbnail images (objects) selectable to obtain the actual file. It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern and AAPA to combine the packager of data objects, of Halpern with the search system of AAPA. One would have been motivated to make such a combination because packaging the requests for objects into a one or more packaged requests (see column 3, lines 62-66), as is done in Halpern, provides an efficient means for transmitting large amount of data in combined streams, such as in the request of a plurality items from a server, and the providing of results from the request, conversely use of a search engine for searching the component pool of the internet accessed in Halpern, would provide efficient data query access.

Halpern and AAPA however don't explicitly teach opening a server session prior to the search request and closing the server session after receiving the response. Jones teaches, a system in which a client requests specifies an identifier for a search on a server and receives a response (see column 5, lines 26-30), similar to that of Halpern and AAPA, but further teaches initiating a connection between the client and server forming the sessions and after completion of the request response cycle, terminating the session (see column 2, lines 52-63). It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern, AAPA, and Jones before him at the time the invention was made to modify server query system of Halpern and AAPA to include the session initiation and termination, as did Jones. One would have been motivated to make such a combination because this allows the client to set up distinct times to use the severs services and maintain the networked connection.

With regard to claim 20, which teaches a server processor comprising: a module configured to receiving a request from the client for the plurality of objects, Halpern teaches, in column 6, lines 1-5, the request for a plurality of objects. With regard to claim 20, further teaching a processor configured for unpacking the plurality of requested objects, Halpern teaches, in column 3, lines 28-34 and column 5, lines 49-55, processing configured to unpack the plurality of requested elements. With regard to claim 20, further teaching a module configured to automatically packing the retrieved plurality of objects into a response message, Halpern teaches, in column 5, lines 49-55 and in column 6, lines 1-15, the server retrieving the requested objects from a component pool and forms a customized non-binging set of files. With regard to claim 20, further teaching a module configured to transmit the response message to the client, Halpern teaches, in column 6, lines 17-19, the executable prepared by the packager being transmitted over a network to the client.

Halpern teaches requests sent to the server for a plurality of objects (see column 3, lines 16-38 and column 5, lines 5-51), he however doesn't specifically specify if the requests are sent individually for each object or as packed request. It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern to provide the user with the option of sending the request to the server as package of a plurality of objects, similar to how Halpern offers the transfer of data between the server and the client (see column 3, line 61 through column 4, line 9 and in column 6, lines 17-28). One would have been motivated to make such a combination because in the bi-directional transfer system of Halpern, it would be beneficial, in terms of time saved in

the case of lost objects, to provide the same optional packeting of objects in the client to

server transfer.

Halpern teaches a system for the transfer of multiple objects between a server

and a client and outputting a plurality of unpacked objects (see column 6, lines 1-67),

but doesn't specifically teach the response message including an indicator of the order

in which the packed objects are to be presented.

Halpern and AAPA teach a system for the transfer of multiple objects between a

server and a client and outputting a plurality of unpacked objects for display on a

browser of the client (see column 6, lines 1-67 of Halpern and page 3, lines 5-15 of

AAPA), but doesn't specifically teach outputting the objects in and second order dictated

in the response message, not dictated by order of receipt / different from the first order.

Jones teaches, a system in which a client requests specifies an identifier for a search

on a server and receives a response (see column 5, lines 26-30), similar to that of

Halpern and AAPA, but further teaches returning responses from the server in a

different order than the order of requests, while including a serial number as well as an

id number with the responses thereby allowing for reordering at the client (see column

11, lines 40-52). It would have been obvious to one of ordinary skill in the art, having

the teachings of Halpern, AAPA, and Jones before him at the time the invention was

made to modify server query system of Halpern and AAPA to include the non-

dependent upon request response ordering, as did Jones. One would have been

motivated to make such a combination because this allows for further utilization of the

networks resources, allowing for ready bits of information to be transmitted when they
are ready in any order.

With regard to claim 20, further teaching the plurality of objects being
occurrences of an information element provided as a search criteria in a data network,
Halpern and Jones teach, in column 3, lines 16-38 and in column 5, lines 5-51 (of
Halpern), a user selecting a plurality of objects from a server, but doesn't specifically
teach the specifics of the searching. AAPA teaches a communication of requests and
responses between a client and a server through the user of a browser (see column 3,
lines 1-15), similar to that of Halpern and Jones (see column 4, line 54 through column
5, line 5 of Halpern), but further specifies, on page 3, lines 2-4, 7-10, and 13-15,
searching, in a server network, for occurrences of various types of information, and
displaying in the web page in response to the search text and/or thumbnail images
(objects), representing the actual file. It would have been obvious to one of ordinary
skill in the art, having the teachings of Halpern, Jones, and AAPA to combine the
packager of data objects, of Halpern and Jones with the search system of AAPA. One
would have been motivated to make such a combination because packaging the
requests for objects into a one or more packaged requests (see column 3, lines 62-66),
as is done in Halpern, provides an efficient means for transmitting large amount of data
in combined streams, , conversely use of a search engine for searching the component
pool of the internet accessed in Halpern, would provide efficient data query access.

With regard to claim 23, Halpern and AAPA teach a system for the transfer of
multiple objects between a server and a client and outputting a plurality of unpacked

objects for display on a browser of the client (see column 6, lines 1-67 of Halpern and

page 3, lines 5-15 of AAPA), but doesn't specifically teach packing the plurality of object

into the response message in a designated order. Jones teaches, a system in which a

client requests specifies an identifier for a search on a server and receives a response

(see column 5, lines 26-30), similar to that of Halpern and AAPA, but further teaches

returning responses from the server in a different order than the order of requests, while

including a serial number as well as an id number with the responses thereby allowing

for reordering at the client (see column 11, lines 40-52). It would have been obvious to

one of ordinary skill in the art, having the teachings of Halpern, AAPA, and Jones before

him at the time the invention was made to modify server query system of Halpern and

AAPA to include the non-dependent upon request response ordering, as did Jones.

One would have been motivated to make such a combination because this allows for

further utilization of the networks resources, allowing for ready bits of information to be

transmitted when they are ready in any order.

  With regard to claim 28, which teaches a method of transferring a plurality of

objects from a server to a client comprising: program instructions for receiving a

request from the client for the plurality of objects, Halpern teaches, in column 6, lines 1-

5, the request for a plurality of objects. With regard to claim 28, further teaching

program instructions for retrieving the plurality of requested objects from one or more

object stores, Halpern teaches, in column 5, lines 49-55 and in column 6, lines 1-5, the

server retrieving the requested objects from a component pool. With regard to claim

28, further teaching program instructions for automatically packing the retrieved plurality

of objects into a response message, Halpern teaches, in column 5, lines 49-55 and in column 6, lines 1-15, the server retrieving the requested objects from a component pool and forms a customized non-binging set of files. With regard to claim 28, further teaching program instructions for transmitting the response message to the client, Halpern teaches, in column 6, lines 17-19, the executable prepared by the packager being transmitted over a network to the client.

Halpern teaches requests sent to the server for a plurality of objects (see column 3, lines 16-38 and column 5, lines 5-51), he however doesn't specifically specify if the requests are sent individually for each object or as packed request. It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern to provide the user with the option of sending the request to the server as package of a plurality of objects, similar to how Halpern offers the transfer of data between the server and the client (see column 3, line 61 through column 4, line 9 and in column 6, lines 17-28). One would have been motivated to make such a combination because in the bi-directional transfer system of Halpern, it would be beneficial, in terms of time saved in the case of lost objects, to provide the same optional packeting of objects in the client to server transfer.

Halpern and AAPA teach a system for the transfer of multiple objects between a server and a client and outputting a plurality of unpacked objects for display on a browser of the client (see column 6, lines 1-67 of Halpern and page 3, lines 5-15 of AAPA), but doesn't specifically teach outputting the objects in and second order dictated in the response message, not dictated by order of receipt / different from the first order.

Jones teaches, a system in which a client requests specifies an identifier for a search

on a server and receives a response (see column 5, lines 26-30), similar to that of

Halpern and AAPA, but further teaches returning responses from the server in a

different order than the order of requests, while including a serial number as well as an

id number with the responses thereby allowing for reordering at the client (see column

11, lines 40-52). It would have been obvious to one of ordinary skill in the art, having

the teachings of Halpern, AAPA, and Jones before him at the time the invention was

made to modify server query system of Halpern and AAPA to include the non-

dependent upon request response ordering, as did Jones. One would have been

motivated to make such a combination because this allows for further utilization of the

networks resources, allowing for ready bits of information to be transmitted when they

are ready in any order.

      With regard to claim 25, which teaches a computer readable medium for

requesting and processing a plurality of objects from a server, comprising: program

instructions for requesting a plurality of objects from the server, Halpern teaches, in

column 3, lines 16-38 and in column 5, lines 5-51, a user selecting a plurality of objects

from a server. With regard to claim 25, further teaching program instructions for

receiving a response message from the server, the response message containing the

plurality of objects packed into the response message, Halpern teaches, in column 3,

line 61 though column 4, line 5 and column 6, lines 1-28, the client receiving a package

from the server containing the plurality of selected objects. With regard to claim 25,

further teaching program instructions for automatically unpacking the plurality of objects

contained in the response message, Halpern teaches, in column 6, lines 44-64, and in column 4, lines 14-19, an automatic unpacking of objects that doesn't require user interaction.

Halpern teaches requests sent to the server for a plurality of objects (see column 3, lines 16-38 and column 5, lines 5-51), he however doesn't specifically specify if the requests are sent individually for each object or as packed request. It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern to provide the user with the option of sending the request to the server as either a single package or as a plurality of packages, similar to how Halpern offers the transfer of data between the server and the client (see column 3, line 61 through column 4, line 9 and in column 6, lines 17-28). One would have been motivated to make such a combination because in the bi-directional transfer system of Halpern, it would be beneficial, in terms of time saved in the case of lost objects, to provide the same optional packeting of objects in the client to server transfer.

With regard to claim 25, further teaching requesting a plurality of objects from the server, Halpern teaches, in column 3, lines 16-38 and in column 5, lines 5-51, a user selecting a plurality of objects from a server, but doesn't specifically teach the specifics of the searching. With regard to claim 25, further teaching program instructions for searching in a data network for an information element based upon a search criteria, AAPA teaches a communication of requests and responses between a client and a server through the user of a browser (see column 3, lines 1-15), similar to that of Halpern (see column 4, line 54 through column 5, line 5), but further specifies, on page

3, lines 1-4, searching in a network for occurrences of various types of information including text graphics, etc. With regard to claim 25, further teaching program instructions for receiving from at least one server search results displayable on a web page comprising a list identifying occurrences of the information element, AAPA teaches, on page 3, lines 4-9, a server upon receiving a search request returning to a client a webpage including results of the search, including a list of text items or graphical images describing the search hits. With regard to claim 25, further teaching wherein at least some of said occurrences of the information element identify objects; program instructions for generating for each identified object , a request to at least on server fro obtaining respective objects, AAPA teaches, on page 3, lines 10-15, some of the returned search results being graphical thumbnail images representing files (objects), where the browser then requests the objects. It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern and AAPA to combine the packager of data objects, of Halpern with the search system of AAPA. One would have been motivated to make such a combination because packaging the requests for objects into a one or more packaged requests (see column 3, lines 62-66), as is done in Halpern, provides an efficient means for transmitting large amount of data in combined streams.

Halpern and AAPA however don't explicitly teach opening a server session prior to the search request and closing the server session after receiving the response. Jones teaches, a system in which a client requests specifies an identifier for a search on a server and receives a response (see column 5, lines 26-30), similar to that of

Halpern and AAPA, but further teaches initiating a connection between the client and

server forming the sessions and after completion of the request response cycle,

terminating the session (see column 2, lines 52-63). It would have been obvious to one

of ordinary skill in the art, having the teachings of Halpern, AAPA, and Jones before him

at the time the invention was made to modify server query system of Halpern and AAPA

to include the session initiation and termination, as did Jones. One would have been

motivated to make such a combination because this allows the client to set up distinct

times to use the severs services and maintain the networked connection.

With regard to claim 28, further teaching the plurality of objects being displayable

on the web page a search results and are occurrences of an information element

provided as a search criteria in a data network, Halpern and Jones teach, in column 3,

lines 16-38 and in column 5, lines 5-51 (of Halpern), a user selecting a plurality of

objects from a server, but doesn't specifically teach the specifics of the searching.

AAPA teaches a communication of requests and responses between a client and a

server through the user of a browser (see column 3, lines 1-15), similar to that of

Halpern and Jones (see column 4, line 54 through column 5, line 5 of Halpern), but

further specifies, on page 3, lines 2-4, 7-10, and 13-15, searching, in a server network,

for occurrences of various types of information, and displaying in the web page in

response to the search text and/or thumbnail images (objects), representing the actual

file. It would have been obvious to one of ordinary skill in the art, having the teachings

of Halpern, Jones, and AAPA to combine the packager of data objects, of Halpern and

Jones with the search system of AAPA. One would have been motivated to make such

a combination because packaging the requests for objects into a one or more packaged requests (see column 3, lines 62-66), as is done in Halpern, provides an efficient means for transmitting large amount of data in combined streams, conversely use of a search engine for searching the component pool of the internet accessed in Halpern, would provide efficient data query access.

    With regard to claim 34, which teaches the server and a client communicate with each via an HTTP module, wherein the client comprises a browser for receiving the search criteria and for outputting the search results on the web page and wherein the plurality of objects are image objects, Halpern teaches, in column 4, line 54 through column 5, line 5, communication between a client and a server, through the user of a web browser, but doesn't specifically specify using HTTP. AAPA teaches a communication of requests and responses between a client and a server through the user of a browser (for transmitting search requests and providing results, see supra) (see column 3, lines 1-15), similar to that of Halpern (see column 4, line 54 through column 5, line 5), but further specifies that the server contains a HTTP module and communication being through a HTTP protocol (see page 2, lines 11-20). It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern and AAPA before him at the time the invention was made to use HTTP in the communication between the client and server on Halpern. One would have been motivated to make such a combination because HTTP (hypertext transfer protocol) is known to be a standard protocol for efficient transfer of requests from a browser to a web server and from web servers back to the client.

With regard to claim 35, which teaches the browser is a web browser and the plurality of objects are images, wherein a plug-in module that operates with the web browser is provided in a client and wherein the plug-in module automatically unpacking the plurality of image objects contained in the response message, and provides the unpacked image objects to the browser for display on the web page, Halpern teaches, in column 1, lines 33-41, column 4, lines 14-18, and in column 4, line 54 through column 5, line 5, the use of a web browser, at a client, for unpacking a plurality of packets without further user interaction, through the use of an installer executable (see column 6, lines 14-16), where results are then provided for display on the browser (see AAPA supra).

With regard to claim 36, which teaches a method of requesting and processing a plurality of objects from a server, comprising: receiving a response message from the server, the response message containing the plurality of objects packed into the response message, Halpern teaches, in column 3, line 61 though column 4, line 5 and column 6, lines 1-28, the client receiving a package from the server containing the plurality of selected objects. With regard to claim 36, further teaching automatically unpacking the plurality of objects contained in the response message, Halpern teaches, in column 6, lines 44-64, in column 4, lines 14-19, and column 4, line 66 through column 5, line 5, an automatic unpacking of objects, that doesn't require user interaction, where the process takes place over a network, through a user interface, for display on a web browser.

Halpern teaches requests sent to the server for a plurality of objects (see column 3, lines 16-38 and column 5, lines 5-51), he however doesn't specifically specify if the requests are sent individually for each object or as packed request. It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern to provide the user with the option of sending the request to the server as either a single package or as a plurality of packages, similar to how Halpern offers the transfer of data between the server and the client (see column 3, line 61 through column 4, line 9 and in column 6, lines 17-28). One would have been motivated to make such a combination because in the bi-directional transfer system of Halpern, it would be beneficial, in terms of time saved in the case of lost objects, to provide the same optional packeting of objects in the client to server transfer.

With regard to claim 36, further teaching requesting a plurality of objects from the server, Halpern teaches, in column 3, lines 16-38 and in column 5, lines 5-51, a user selecting a plurality of objects from a server, but doesn't specifically teach the specifics of the searching. AAPA teaches a communication of requests and responses between a client and a server through the user of a browser (see column 3, lines 1-15), similar to that of Halpern (see column 4, line 54 through column 5, line 5), but further specifies, on page 3, lines 1-4, searching in a network for occurrences of various types of information including text graphics, etc. With regard to claim 36, further teaching receiving from at least one server search results displayable on a web page comprising a list identifying occurrences of the information element, AAPA teaches, on page 3, lines 1-4, searching in a network for occurrences of various types of information including text graphics, etc.,

and further teaches, on page 3, lines 4-9, a server upon receiving a search request
returning to a client a webpage including results of the search, including a list of text
items or graphical images describing the search hits. With regard to claim 36, further
teaching wherein at least some of said occurrences of the information element identify
objects; generating for each identified object , a request to at least on server fro
obtaining respective objects, AAPA teaches, on page 3, lines 10-15, some of the
returned search results being graphical thumbnail images representing files (objects),
where the browser then requests the objects. It would have been obvious to one of
ordinary skill in the art, having the teachings of Halpern and AAPA to combine the
packager of data objects, of Halpern with the search system of AAPA. One would have
been motivated to make such a combination because packaging the requests for
objects into a one or more packaged requests (see column 3, lines 62-66), as is done in
Halpern, provides an efficient means for transmitting large amount of data in combined
streams, conversely use of a search engine for searching the component pool of the
internet accessed in Halpern, would provide efficient data query access.

Halpern and AAPA however don't explicitly teach opening a server session prior
to the search request and closing the server session after receiving the response.
Jones teaches, a system in which a client requests specifies an identifier for a search
on a server and receives a response (see column 5, lines 26-30), similar to that of
Halpern and AAPA, but further teaches initiating a connection between the client and
server forming the sessions and after completion of the request response cycle,
terminating the session (see column 2, lines 52-63). It would have been obvious to one

of ordinary skill in the art, having the teachings of Halpern, AAPA, and Jones before him

at the time the invention was made to modify server query system of Halpern and AAPA

to include the session initiation and termination, as did Jones. One would have been

motivated to make such a combination because this allows the client to set up distinct

times to use the severs services and maintain the networked connection.

     Claims 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Halpern, Feinman, patent #6,075,943, and applicants admitted prior art in the

"Background of the Invention" section pages 1-4, hereinafter AAPA.

     With regard to claim 31, which teaches a method of transferring a plurality of

objects from a server to a client comprising: receiving a request from the client for the

plurality of objects, Halpern teaches, in column 6, lines 1-5, the request for a plurality of

objects. With regard to claim 31, further teaching retrieving the plurality of requested

objects from an object stores, Halpern teaches, in column 5, lines 49-55 and in column

6, lines 1-5, the server retrieving the requested objects from a component pool.   With

regard to claim 31, further teaching packing the retrieved plurality of objects into a

response message, Halpern teaches, in column 5, lines 49-55 and in column 6, lines 1-

15, the server retrieving the requested objects from a component pool and forms a

customized non-binging set of files. With regard to claim 31, further teaching

transmitting the response message to the client, Halpern teaches, in column 6, lines 17-

19, the executable prepared by the packager being transmitted over a network to the

client.

Halpern teaches requests sent to the server for a plurality of objects (see column 3, lines 16-38 and column 5, lines 5-51), he however doesn't specifically specify if the requests are sent individually for each object or as packed request. It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern to provide the user with the option of sending the request to the server as package of a plurality of objects, similar to how Halpern offers the transfer of data between the server and the client (see column 3, line 61 through column 4, line 9 and in column 6, lines 17-28). One would have been motivated to make such a combination because in the bi-directional transfer system of Halpern, it would be beneficial, in terms of time saved in the case of lost objects, to provide the same optional packeting of objects in the client to server transfer.

Halpern teaches a system for the transfer of multiple objects between a server and a client and outputting a plurality of unpacked objects (see column 6, lines 1-67), but doesn't specifically teach the response message including an indicator of the order in which the packed objects are to be presented. Feinman teaches a system for packaging up one or more applications for transfer between a server and a client (see column 2, lines 34-45) similar to that of Halpern, but further teaches, in column 3, line 43 through column 4, line 12, the outputting of applications providing an indication of a certain order, as indicated by the server. The compression and decompression of the files done by compression and decompression programs (column 3, lines 7-43), where the automatic installations system builds a command for the remote submission, the command (indication) containing the name of the appropriate decompression program

to run (which specifies the order to present data) (see column 5, lines 49-55). Feinman

teaches a system where a user request a program from a server and the program

comprises a plurality of subdirectories already packaged on the server set for delivery

(see column 2, liens 34-45 and column 3, lines 1-25). It would have been obvious to

one of ordinary skill in the art, having the teachings of Halpern and Feinman to include

an ordering of objects, as did Feinman in the object transfer system of Halpern. One

would have been motivated to make such a combination because this would provide an

efficient means for allowing the server to dictate the order in which objects must be

presented.

      With regard to claim 31, further teaching the plurality of objects being displayable

on the web page a search results and are occurrences of an information element

provided as a search criteria in a data network, Halpern and Feinman teach, in column

3, lines 16-38 and in column 5, lines 5-51 (of Halpern), a user selecting a plurality of

objects from a server, but doesn't specifically teach the specifics of the searching.

AAPA teaches a communication of requests and responses between a client and a

server through the user of a browser (see column 3, lines 1-15), similar to that of

Halpern and Feinman (see column 4, line 54 through column 5, line 5 of Halpern), but

further specifies, on page 3, lines 2-4, 7-10, and 13-15, searching, in a server network,

for occurrences of various types of information, and displaying in the web page in

response to the search text and/or thumbnail images (objects), representing the actual

file. It would have been obvious to one of ordinary skill in the art, having the teachings

of Halpern, Feinman, and AAPA to combine the packager of data objects, of Halpern

and Feinman with the search system of AAPA. One would have been motivated to make such a combination because packaging the requests for objects into a one or more packaged requests (see column 3, lines 62-66), as is done in Halpern, provides an efficient means for transmitting large amount of data in combined streams.

With regard to claim 32, Halpern and AAPA teach a system for the transfer of multiple objects between a server and a client and outputting a plurality of unpacked objects (see column 6, lines 1-67 of Halpern), but doesn't specifically teach the retrieved objects being packed into the response message in a designated order. Feinman teaches a system for packaging up one or more applications for transfer between a server and a client (see column 2, lines 34-45) similar to that of Halpern and AAPA, but further teaches, in column 3, line 43 through column 4, line 12, the outputting of applications having a certain order, as indicated by the server. It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern, AAPA, and Feinman to include an ordering of objects, as did Feinman in the object transfer system of Halpern and AAPA. One would have been motivated to make such a combination because this would provide an efficient means for allowing the server to dictate the order in which objects must be presented.

(10) Response to Argument

The Examiner as an initial matter would like to direct the Boards attention to the Decision On Appeal of 2-22-2007 in which the Examiner was Affirmed on all Claims. The claims have since been amended and new art has been added, but the bulk of what the Applicant's specification claims is novel subject matter was claimed prior to this Board Decision where the Examiner rejection was affirmed in said proceeding. The amendments since the Board Decision seem to only describe the current state of the art for transmission of data between a server and a client.

Claims 1-3, 7-10, 13-15, 19-23, 25-29, and 34-36:

With respect to the arguments directed at the independent claims including Claims 1, 8, 13, 20, 25, 28, and 36 the Appellant's arguments are focused on the limitations regarding the existence of reasoning to combine the references.

Based on the interpretation of the claim limitations being argued, the Examiner will now explain how the teachings of the Halpern et al., applicants admitted prior art in the "Background of the Invention" section pages 1-4, hereinafter AAPA, and Jones et al. references are within the scope of these limitations.

Halpern teaches, in column 3, line 61 though column 4, line 5 and column 6, lines 1-28, the client receiving a package from the server containing the plurality of selected objects; in column 6, lines 44-64, column 4, lines 14-19, and column 4, line 66 through column 5, line 5, an automatic unpacking of objects, that doesn't require user interaction, where the process takes place over a network, through a user interface, for display on a web browser. Halpern further teaches requests sent to the server for a plurality of objects (see column 3, lines 16-38 and column 5, lines 5-51). It would have been obvious to one of ordinary skill in the art, having the teachings of Halpern to provide the user with the option of sending the request to the server as either a single package or as a plurality of packages, similar to how Halpern offers the transfer of data between the server and the client (see column 3, line 61 through column 4, line 9 and in column 6, lines 17-28). One would have been motivated to make such a combination because in the bi-directional transfer system of Halpern, it would be beneficial, in terms of time saved in the case of lost objects, to provide the same optional packeting of objects in the client to server transfer.

Halpern teaches, in column 3, lines 16-38 and in column 5, lines 5-51, and is further supplemented by AAPA which teaches a communication of requests and responses between a client and a server through the user of a browser (see column 3, lines 1-15), and on page 3, lines 1-4, searching in a network for occurrences of various types of information including text graphics, etc. AAPA further teaches, on page 3, lines 4-9, a server upon receiving a search request returning to a client a webpage including results of the search, including a list of text items or graphical images describing the

search hits; on page 3, lines 10-15, some of the returned search results being graphical

thumbnail images representing files (objects), where the browser then requests the

objects. It would have been obvious to one of ordinary skill in the art, having the

teachings of Halpern and AAPA to combine the packager of data objects, of Halpern

with the search system of AAPA. One would have been motivated to make such a

combination because packaging the requests for objects into a one or more packaged

requests (see column 3, lines 62-66), as is done in Halpern, provides an efficient means

for transmitting large amount of data in combined streams.

Halpern and AAPA are further supplemented by Jones who teaches, a system in

which a client requests specifies an identifier for a search on a server and receives a

response (see column 5, lines 26-30), and further teaches initiating a connection

between the client and server forming the session and after completion of the request

response cycle, terminating the session (see column 2, lines 52-63). It would have

been obvious to one of ordinary skill in the art, having the teachings of Halpern, AAPA,

and Jones before him at the time the invention was made to modify server query system

of Halpern and AAPA to include the session initiation and termination, as did Jones.

One would have been motivated to make such a combination because this allows the

client to set up distinct times to use the severs services and maintain the networked

connection.

The examiner will now address the individual arguments and statements

made by Appellant.

From page 18 of the Appeal Brief, from the first paragraph, the Appellant

argues that "the Examiner is impermissibly using hindsight in view of the

Applicants' own disclosure in an effort to render the claimed method

unpatentable.

In response to applicant's argument that the examiner's conclusion of

obviousness is based upon improper hindsight reasoning, it must be recognized that

any judgment on obviousness is in a sense necessarily a reconstruction based upon

hindsight reasoning. But so long as it takes into account only knowledge which was

within the level of ordinary skill at the time the claimed invention was made, and does

not include knowledge gleaned only from the applicant's disclosure, such a

reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA

1971).

From page 19 of the Appeal Brief, from the third paragraph, the Appellant

argues that the Examiner has not established a prima facie case of obviousness

using only objective evidence or suggestion from the applied prior art and

knowledge in the art.

In response to applicant's argument that there is no suggestion to combine the

references, the examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Halpern teaches

a system in which a user at a client end, initiates and internet connection and engages

in dialogue with a server, requesting data from a networks component pool (see column

3, lines 7-38), the Applicant admits in the Background section, search engines are

known in the art for "locating information among the vast amounts of information

accessible on the Internet" (see page 3, lines 1-15 of clients spec / AAPA). Here it

would be obvious to use a search engine of searching the component pool of the

internet accessed in Halpern. Conversely packaging of search results would lower

transmission requirements for large amounts of data.   With regard to the combination of

Halpern and AAPA with Jones, Jones further teaches the "need for an application client

to communicate with a database server in a session oriented protocol" (see column 1,

lines 38-41 and column 2, lines 48-63) where "the client is required to specify an

identifier of the search, which is echoed by the server in its response" (see column 5,

lines 26-30), where Halpern and AAPA relate to a client / database server interaction,

this session usage would prove beneficial. Here it would be obvious to use the session

in the client server interaction of Halpern and AAPA as a session defines distinct start

and end points for a communication, not requiring a server / client to continue awaiting a

response / acknowledgement while the other device has concluded communication.

From page 20 of the Appeal Brief, from the fourth paragraph, the

Appellant argues that Jones does not teach performing the steps of claim 1 while

in a session.

The Examiner respectfully contends that Jones is not being relied upon for the

step carried out in claim on only the initiation of a session, request for data, response of

data, and termination of session (see column 2, lines 48-63). The Applicant appears to

misunderstand the Examiner assertions that "Halpern and AAPA do not disclose or

suggest carrying out the above-noted features within a session", as Halpern and AAPA

do teach the above-noted features, just without the features being implemented in a

session, further showing that it would be obvious to perform the network communication

in a network established session, as is done in Jones.

From page 22 of the Appeal Brief, from the second paragraph, the

Appellant argues that in Jones "it appears that all the operations referencing and

acting on the objects are carried out between the initiation and subsequent

termination of the session. As such Jones teachings would actually lead a

skilled artisan to unpack and display the objects within the session, contrary to

the requirements of claim 1."

The Examiner respectfully contends that Jones teaches termination the session

when transmission is complete (see column 2, lines 48-63), so when all the data is

received the session is termination, where there is no need to keep the session open

while the data is unpacked and displayed. Halpern teaches downloading a package of

all the data requested and when the entire package is downloaded (end of download

session) the package is unpacked, installed, and displayed (see column 3, line 61

through column 4, line 19).

From page 23 of the Appeal Brief, from the fourth paragraph, the

Appellant argues that "Jones does not even disclose any information regarding

the order in which objects within a response message are packed, let alone

disclose that the order in which the objects are displayed is different from the

order in which the objects are packed."

The Examiner respectfully contends that Jones teaches, in column 11, lines 40-

52, responses by the server are returned in an order different from the order of request

by the client, with response content being transmitted with ID numbers, and a final piece

tag to show the end of a transmission session and also aids in reordering content

transmitted out of order. Where as stated above Halpern is relied upon for the idea of

transmitting data of a session in packets that are unpacked upon arrival at the client.

Claims 31 and 32:

With respect to the arguments directed at the independent claims including Claim 31

the Appellant's arguments are focused on the limitations regarding the existence of a

indicator of a predetermined order. More specifically, as stated from representative

Claim 31, the limitation argued is:

"

> *wherein the plurality of objects are packed into the packed object*
>
> *prior to receiving the request for the plurality of objects and where the*
>
> *response message comprises an indicator of a predetermined order in*
>
> *which the packed object are to be presented;*

"

Since the interpretation of the limitation is the basis for the arguments, the

Examiner's interpretation is now given. The claim, as interpreted by the examiner,

pertains to a system in which a response message provides some sort of an indication

of how the packed objects are presented, further providing ordering. As stated in the

eighth paragraph of MPEP 2101[R2].II.C.,

> "*Office personnel are to give claims their broadest reasonable*
>
> *interpretation in light of the supporting disclosure.* In re Morris, 127 F.3d
>
> 1048, 1054-55, 44 USPQ2d 1023,1027-28 (Fed. Cir. 1997)."

Based on the interpretation of the claim limitations being argued, the

Examiner will now explain how the teachings of the Halpern and Feinman

references are within the scope of these limitations.

Halpern teaches, in column 6, lines 1-5, the request for a plurality of objects; in

column 5, lines 49-55 and in column 6, lines 1-5, the server retrieving the requested

objects from a component pool; in column 5, lines 49-55 and in column 6, lines 1-15, the

server retrieving the requested objects from a component pool and forms a customized

non-binging set of files; in column 6, lines 17-19, the executable prepared by the

packager being transmitted over a network to the client. Halpern teaches requests sent

to the server for a plurality of objects (see column 3, lines 16-38 and column 5, lines 5-

51), Where It would have been obvious to one of ordinary skill in the art, having the

teachings of Halpern to provide the user with the option of sending the request to the

server as package of a plurality of objects, similar to how Halpern offers the transfer of

data between the server and the client (see column 3, line 61 through column 4, line 9

and in column 6, lines 17-28). One would have been motivated to make such a

combination because in the bi-directional transfer system of Halpern, it would be

beneficial, in terms of time saved in the case of lost objects, to provide the same

optional packeting of objects in the client to server transfer.

Halpern teaches a system for the transfer of multiple objects between a server

and a client and outputting a plurality of unpacked objects (see column 6, lines 1-67),

and is further supplemented by Feinman who teaches a system for packaging up one or

more applications for transfer between a server and a client (see column 2, lines 34-45)

similar to that of Halpern, but further teaches, in column 3, line 43 through column 4,

line 12, the outputting of applications providing an indication of a certain order, as

indicated by the server. The compression and decompression of the files done by

compression and decompression programs (column 3, lines 7-43), where the automatic

installations system builds a command for the remote submission, the command

(indication) containing the name of the appropriate decompression program to run

(which specifies the order to present data) (see column 5, lines 49-55). Feinman

teaches a system where a user request a program from a server and the program

comprises a plurality of subdirectories already packaged on the server set for delivery

(see column 2, liens 34-45 and column 3, lines 1-25). It would have been obvious to

one of ordinary skill in the art, having the teachings of Halpern and Feinman to include

an ordering of objects, as did Feinman in the object transfer system of Halpern. One

would have been motivated to make such a combination because this would provide an

efficient means for allowing the server to dictate the order in which objects must be

presented.

Halpern and Feinman teach, in column 3, lines 16-38 and in column 5, lines 5-51

(of Halpern), a user selecting a plurality of objects from a server, and are further

supplemented by AAPA who teaches a communication of requests and responses

between a client and a server through the user of a browser (see column 3, lines 1-15),

similar to that of Halpern and Feinman (see column 4, line 54 through column 5, line 5

of Halpern), but further specifies, on page 3, lines 2-4, 7-10, and 13-15, searching, in a

server network, for occurrences of various types of information, and displaying in the

web page in response to the search text and/or thumbnail images (objects),

representing the actual file. It would have been obvious to one of ordinary skill in the

art, having the teachings of Halpern, Feinman, and AAPA to combine the packager of

data objects, of Halpern and Feinman with the search system of AAPA. One would

have been motivated to make such a combination because packaging the requests for

objects into a one or more packaged requests (see column 3, lines 62-66), as is done in

Halpern, provides an efficient means for transmitting large amount of data in combined

streams.

From page 25 of the Appeal Brief, from the third paragraph, the Appellant

argues that "the compressed file sent to the client in Feinman does not comprise

the sequential file 100 which is used to identify a remote client's delivery points

and delivery timings" thus 'Feinman's compressed file does not include any

indicator of an order, much less a predetermined order, in which the application

programs are to be installed.

The Examiner respectfully contends that Feinman teaches the compression and

decompression of the files done by compression and decompression programs (column

3, lines 7-43), where the automatic installations system builds a command for the

remote submission (compressed then transmitted), the command (indication) containing

the name of the appropriate decompression program to run (which specifies the order to

present data) and where the individual unpacked files are to be placed (further

specifying an ordering) (see column 5, lines 49-55). Here the decompression program

reorganizes the compressed transmitted content to recreate the file (see column 3, lines

11-31).

From page 26 of the Appeal Brief, from the third and fourth paragraphs,

the Appellant argues that "Since there is no request prior to the packaging of the

applications in Feinman, it cannot disclose that the request plurality of objects are

packed into the packed object prior to receiving the request for the plurality of

objects".

It is admitted by the Applicant that Feinman teaches "in step 12 of FIG. 1a"…"the

automated installation system packages the one or more applications into a

compressed file. This step carried out absent any request for the compressed file form

the destined remote client". The Examiner respectfully contends that Halpern is relied

upon for the teaching of requesting data transmission, and is supplemented by the

above teaching of Feinman showing packaging of applications prior to any user request.

So we have Feinman's system which prepackages application packets and Halpern's

system that requests packed applications, the combination would be obvious.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Conferees:

/Dennis G. Bonshock/

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Patent Examiner 2173
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